HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 27888 of 2007

Dated 27th December, 2007

Between

V.Prabhakar Goud

…Petitioner

and

The Prohibition & Excise Superintendent,
Medak, Medak District at Sangareddy

…Respondent.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 27888 of 2007

ORDER:

In this Writ Petition, the petitioner seeks Writ of Mandamus to declare the action of the respondent in not considering the representations of the members of the society dated 16-10-2007 and 8-11-2007 as illegal and arbitrary, and, for consequential direction to the respondent to grant licence to the members of the petitioner's society of TCS group, Zaheerabad, to vend toddy.

The society, as such, is not before this Court. The petitioner, in the individual capacity, describing him as tapper, resident of Zaheerabad, has filed this Writ Petition. Under the provisions of the A.P. Cooperative Societies Act, 1964, when a society is registered, the Registrar shall issue a certificate of registration signed and sealed by

him, which shall be the conclusive evidence that the society mentioned therein is a society duly registered under the A.P. Cooperative Societies Act, 1964. Under Section 9 of the A.P. cooperative Societies Act, 1964, the registration of a society shall render it a body corporate by the name under which it is registered having perpetual succession and a common seal. When the Society is not before this Court, the petitioner cannot seek licence to the members of the society. However, on instructions, it is submitted by the learned Government Pleader appearing for the respondent that earlier, there is a society, namely, Tappers Cooperative Society, Zaheerabad, which was granted licence and the said licence was suspended as it came to adverse notice.

As much as the society is not made a party in the Writ Petition, the petitioner cannot seek any direction for grant of licence to the members of the Society.

The Writ Petition is devoid of merits and is accordingly dismissed at the admission stage. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 27-12-2007
Msnr.